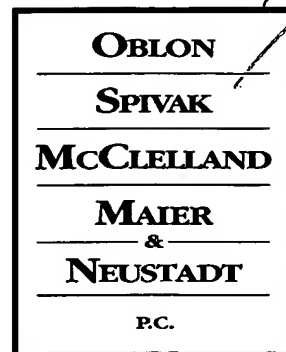




DOCKET NO.: 241019US0DIV

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

STEPHEN G. BAXTER  
(703) 413-3000  
SBAXTER@OBLON.COM

RE: Application Serial No.: 10/628,453

Applicants: Rossella MUSA et al

Filing Date: July 29, 2003

For: MODIFIED CARRIER PARTICLES FOR USE IN  
DRY POWDER INHALERS

Group Art Unit: 1618

Examiner: OH, S. J.

SIR:

Attached hereto for filing are the following papers:

#### NOTICE OF APPEAL

Our credit card payment form in the amount of \$500.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R §1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. §1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Stephen G. Baxter

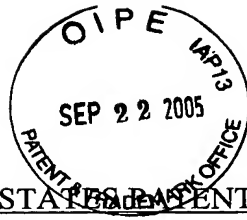
Registration No. 32,884

Customer Number

**22850**

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DOCKET NO. 241019US0DIV



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Rossella MUSA et al

GROUP ART UNIT: 1618

SERIAL NO.: 10/628,453

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FILED: July 29, 2003

FOR: MODIFIED CARRIER PARTICLES FOR USE IN DRY POWDER INHALERS

NOTICE OF APPEAL

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants hereby appeal to the Board of Appeals from the decision dated April 22, 2005.

The items checked below are appropriate:

- ☒ A Petition for Extension of Time under 37 C.F.R. §1.136 was filed for two months on August 30, 2005.
  - ☒ A timely Request for Reconsideration in response to the final rejection was filed on August 30, 2005, as provided in 841 O.G. 1411.
  - ☐ A Petition for Extension of Time under 37 C.F.R. §1.136 for filing the Notice of Appeal is attached.
  - ☐ A Pre-Appeal Brief Request for Review is attached.
- Fee: \$500.00
- ☐ Applicant claims small entity status. See 37 C.F.R. §1.27.
  - ☐ A check is enclosed.
  - ☒ A credit card payment form is enclosed.
  - ☐ Charge to Deposit Account No. 15-0030 (an additional copy of this Notice is enclosed herewith).
  - ☒ Please charge any additional fees or credit any overpayment of fees required for filing the Notice of Appeal to Deposit Account No. 15-0030. A duplicate copy of this Notice is enclosed.
  - ☒ If this Notice is not considered timely filed by the U.S. Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this Notice is enclosed.

09/23/2005 JADD01 00000007 10628453

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Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
\_\_\_\_\_  
Stephen G. Baxter

Registration No. 32,884